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PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Michio SEKI et al.

Application No.: 10/602,678

Group Art Unit: 2614

Filed: June 25, 2003

Examiner: Not Yet Assigned

For: ELECTRONIC APPARATUS, NETWORK SYSTEM, RELAY APPARATUS, AND STATUS CONTROL METHOD

1. Information Disclosure Statement (2 Pages); and
2. PTO Form SB/08 (1 Page);
3. Copy of Japanese Notification of Reasons for Rejection issued by Japanese Patent Office on March 8, 2005, in Japanese Application No. 2002-188444 (3 pages);
4. Copy of English Translation of Notification of Reasons for Rejection issued by Japanese Patent Office on March 8, 2005, in Japanese Application No. 2002-188444 (4 pages); and
5. Copy of JP-2001-309455 (14 pages).

Dated: April 18, 2005

Docket No.: 04329.3081-00000

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4-18-05



PATENT
Customer No. 22,852
Attorney Docket No. 04329.3081

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michio SEKI *et al.*) Group Art Unit: 2614
Application No.: 10/602,678) Examiner: Not assigned
Filed: June 25, 2003)
For: ELECTRONIC APPARATUS,) Confirmation No.: 1969
NETWORK SYSTEM, RELAY)
APPARATUS, AND STATUS)
CONTROL METHOD)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document on the attached listing. To the knowledge of the undersigned, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants attach a copy of the listed document. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

The document listed in this Information Disclosure Statement was first cited in the attached Office Action from the Japanese Patent Office in a corresponding Japanese Patent Application, and this Information Disclosure Statement is being filed

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within three months of the mailing date of the Japanese Office Action. A copy of the Japanese Patent Office Action is attached for the Examiner's convenience.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of the attached Japanese Patent Office Action is attached. Applicants do not necessarily endorse the conclusion set forth in the Japanese Patent Office Action.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

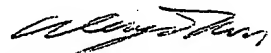
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 18, 2005

By: 
Wenye Tan
Reg. No. 55,662

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(Translation)

Mailed: March 8, 2005

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: Japanese Patent Application No. 2002-188444

Examiner's Notice Date: March 2, 2005

Examiner: Takashi MATSUNAGA 4228 5P00

Attorney for Patent Applicant: Takehiko SUZUYE (other 6 attorneys)

Applied Sections: Section 29 (2) and Section 36

<<<< FINAL >>>>

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASONS

A. The application fails to satisfy the requirements under Section 36 (6) (i) of the Patent Law, on the grounds that the claims are defective in the following respects.

REMARKS

Claim 1 recites "a server device having: a network function part for connecting another electronic device which communicates via a first network via one's own device to a second network, and an AV function part for performing video and audio signal processing, wherein said network function part comprises means for, in the case where inquiry of an operation state of said AV function part has been received from said another electronic device, acquiring the operation state of said AV function part and notifying said another electronic device of the acquired state; and means for, in the case where a request for changing the operation state of said AV function part has been received from said another electronic device, changing said AV function part to the requested operation state."

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However, in paragraph [0036] of the Detailed Description of the Invention, there is disclosed "the AV function part for receiving and recording a television broadcast image is moved to a standby mode, or alternatively, a home gateway includes a system for transmitting and receiving a command signal instructing recovery from the standby mode in accordance with a network protocol, whereby a user can operate the home gateway installed in a living room while staying in a library, and power saving for saving waiting power consumption can be supported." No other specific technique is disclosed, and it is not an obvious matter to one skilled in the art. Hence, it is impossible to expand or generalize the contents disclosed in the Detailed Description of the Invention section up to the technical matter of claim 1. Thus, the invention according to claim 1 is not deemed to have been set forth in the Detailed Description of the Invention section.

In claims 2 and 3 as well, the scope of claim for a patent is beyond the scope of disclosure of the Detailed Description of the Invention section, similarly.

Therefore, the inventions according to claims 1 to 3 are not set forth in the Detailed Description of the Invention section.

B. The inventions according to claims 1 to 3 set forth below, of the present application are unpatentable under Section 29 (2) of the Patent Law, as being such that the inventions could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publication distributed in Japan or a foreign country prior to this application or the invention made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.

REMARKS (refer to references cited)

In paragraph [0071] of Reference 1, there is described that "as described above, according to a home electronics system of the present embodiment, a device at home (equivalent to "another electronic device" of the present application) can be remotely operated from a control terminal device (equivalent to "inquiry means" of the present application) such as a portable telephone set having a display screen, and a device state can be displayed for each device installation area, device state or device type. Thus, it is possible to speedily acquire user's desired information, and the user can operate a plurality of devices remotely at one time, and can operate the devices speedily."

The target for remote operation and the contents of operation in Reference 1 are a mere design option of one skilled in the art.

In (3) of the Written Opinion, the Applicant asserts as follows.

-- "However, the present invention is different from the invention of Reference 1 in that a variety of means for remotely operating an AV function section which operates in the same device (a system of accepting a command indicating move to the standby mode and retrieval from the standby mode of a AV function part 14 in accordance with the network protocol) (refer to paragraph [0034] or the like.)

"In contrast, in the present invention, a network processor 17 for accepting an instruction from a PC 20 operationally controls the AV function part 14 by itself, so that the processing can be converged at a low level."

A feature equivalent to the above assertion is not recited in claims 1 to 3, and thus, the asserting in the Written Opinion cannot be accepted.

The claim not mentioned in this Official Action is not rejected. If a new reason for rejection is noticed, a further Official Action will be issued.

Reference Cited:

1. Jpn. Pat. Appln. KOKAI Publication No. 2001-309455

Reason for issuing this Notice as Final Notice of Rejection

This Final Notice of Rejection indicates only a reason for rejection, which has occurred due to the amendment filed in response to the previous Official Action ("First (Non-Final) Official Action").

If there is any inquiry concerning the contents of this Official Notice of Reasons for Rejection or any request for interview, please contact the following:

Takashi MATSUNAGA, Video Device (Television), Patent Examination
Department 4
Tel: 03(3581)1101 (Ext. 6973)
Fax: 03(3501)0715

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>				Complete if Known	
		Application Number	10/602,678		
		Filing Date	June 25, 2003		
		First Named Inventor	Michio SEKI		
		Art Unit	2614		
		Examiner Name			
		Attorney Docket Number	04329.3081		

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Sheet	1	of	1
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
		US-			
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		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 2001-309455	11/2/2001			

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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